

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FORT SMITH DIVISION

MARVIN J. HUMPHREY

PLAINTIFF

v.

Civil No. 05-2138

SHERIFF REED HAYES, MARGARET LEWIS,
MATT HAMILTON, RYAN CIAMPOI, JOSH ROSS,
DUSTIN BRADSHAW, DEREK NIETERT,
CHRIS MEAY, GARRETT GREEN,
JAMES HAMILTON, and MIKE HAMILTON

DEFENDANTS

ORDER

Before this court are plaintiff's motion for a court order for immediate court intervention, motion for placement into federally protected custody, and motion for discovery. (Doc. 11, 14, 15).

In a motion seeking immediate court intervention, plaintiff states he fears retaliation by the defendants. He asks that the court enter an order ensuring that he remains safe from physical and mental harm from the defendants or their colleagues employed by the Franklin County Adult Detention Center. Plaintiff has not, however, alleged any facts to show that he is in danger. As such, his motion is denied.

Plaintiff has also filed a motion asking for the court to place him into federally supervised custody. (Doc. 15). However, this court does not dictate to state and local authorities where individuals charged with crimes or serving sentences should be housed. Therefore, the motion is denied.

Finally, plaintiff has filed a motion for discovery requesting that the defendants produce any and all audio and video taken by their surveillance equipment from May 19, 2005, until the

present. However, discovery requests are not filed with the court. Therefore, the motion for discovery is denied, and the defendants are hereby directed to treat this motion as a request for production under Rule 34 of the Federal Rules of Civil Procedure.

IT IS SO ORDERED this 19th day of October 2006.

/s/ Beverly Stites Jones
UNITED STATES MAGISTRATE JUDGE